IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.6485 OF 2006

Proposed Manyadkar Maccha Vyavasaik
Sanstha Maryadit Parala Tq.Vaijapur
Dist. Aurangabad.

PETITIONER

VERSUS

The State of Maharashtra & others.

RESPONDENTS.

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Shri R.T.Nagargoje, advocate for petitioner
Shri U.K.Patil, AGP for the State.
Shri Ghatge, advocate for respondent no.4

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WITH

WRIT PETITION NO.7436 OF 2006

Proposed Manyadkar Maccha Vyavasaik
Sanstha Maryadit Parala Tq.Vaijapur
Dist. Aurangabad.

PETITIONER

VERSUS

The State of Maharashtra & others.

RESPONDENTS.

***

Shri R.T.Nagargoje, advocate for petitioner
Shri U.K.Patil, AGP for the State.
Shri Ghatge, advocate for respondent no.4

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Coram : NARESH H. PATIL,J.
N.D.DESHPANDE, J.
Date: 11th June 2009.

P.C.:

01- Heard. Learned counsel for petitioners Shri Nagargoje submitted that the proposal of Bhagyodaya Maccha Vyavasik Sanstha Ltd., Parala was not resubmitted after its earlier rejection. The impugned order is not reasoned one. The counsel for petitioner places reliance on order passed by this Division Bench in WP No.233/2007 dated 05th May 2009 which we have perused.

02- Learned AGP Shri Umakant Patil has pointed the reply filed by the State Government in WP No.6485/2006. Shri Ghatge learned counsel further supported the contention raised by learned AGP on the basis of affidavit in reply. We have perused the reply filed by the State Government. We have perused Ex.F in WP No.6485/2006. AGP submits that request was made by Bhagyodaya Maccha Vyavasik Sanstha Ltd., for reconsideration of their proposal as tank was made available. There were four proposal for

consideration and the best proposal was considered by the authority. Accordingly in 2006 the contract for fishing was granted. The issue is concluded in the year 2007. We do not find flagrant violation of procedure in selecting Bhagyodaya Maccha Vyavasik Sanstha Ltd. Nevertheless, in future, the authority shall take abundant precaution to pass brief reasoned order before accepting or rejecting the proposal of a society. In view of the fact, if cause of action arises, the parties are at liberty to apply afresh for allocation of tank, which would be considered on its own merits. The petitions are dismissed.

[N.D.DESHPANDE]
JUDGE

[NARESH H.PATIL]
JUDGE.

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